



Appeal Decision

Site visit made on 29 April 2024

by Robin Buchanan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 MAY 2024

Appeal Ref: APP/A5840/W/23/3329070

85 Melbourne Grove, London SE22 8RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Miss Jo McCaffrey against the decision of the Council of the London Borough of Southwark.
 - The application Ref is 23/AP/1406.
 - The development proposed was described as 'amalgamation of no.3 apartments into one house. Addition of a roof-top extension'.
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Decision

1. The appeal is allowed and planning permission is granted for the amalgamation of three flats into a single dwellinghouse and construction of a single-storey rooftop extension at 85 Melbourne Grove, London SE22 8RR in accordance with the terms of the application Ref 23/AP/1406 and the plans and documents submitted with it, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The application form, Council's decision notice and appellant's final comments give the appellant's surname 'McCaffrey' whereas the appeal form states 'McCaffery'. I have, therefore, used the former in the banner above.
3. The description of development in this banner is from the application form. In my decision I have used the Council's description because it is more precise and was also used by the appellant in the appeal form.

Main Issue

4. The main issue in this appeal is the effect of the design of the proposed rooftop extension on No.85 Melbourne Grove and on the character and appearance of the local area.

Reasons

5. No.85 is a tall, three-storey end of terrace Victorian building, narrow front end on to Melbourne Grove with a long side elevation return into Chesterfield Grove and a chamfered corner¹. Originally part of a shopping parade it includes yellow brick elevations with red brick banding courses and narrow, tall timber sash windows. A split level flat roof is used as outdoor living space behind a deep perimeter band of painted render parapet wall with similar narrower banding below. These features give No.85 a strong vertical and horizontal emphasis and cohesion with the main façade of the terrace. Sited on one corner of a wide

¹ A basement is not part of the appeal application

T-junction at the back edge of each pavement on two street frontages, No.85 has notable visual presence in both streetscenes. This is also because the building is taller and set forward of the lower two-storey pitched roof terraced houses next to it at the rear in Chesterfield Grove, as well as above similar houses on the other side of this road, in most of Melbourne Grove and nearby. No.85 is purposefully distinctive in design to distinguish it from this surrounding context. As such it makes a positive contribution to the character and appearance of the local area.

6. The rooftop extension is for additional internal living space as part of converting the flats to a house, with the rest of the roof retained as outdoor living space. The contemporary design includes standing seam dark green zinc elevations and roof (part a living roof) with frameless plate glazing.
7. It would stretch along more than half of the Chesterfield Grove side elevation. However, mainly on the lower roof level and from the rear of the building forward, so not into the most open and exposed apex of this corner plot. It would be inset from this edge of the building, next to the internal face of the parapet with the lower part screened behind this wall. Albeit a small distance back, this horizontal articulation means the extension would jut in, so not flow seamlessly above the outside face of the parapet or on the same plane of the main elevation of No.85 below. The longest part would have a modest increase in height above the parapet and includes narrow horizontal glazing. The rest would step up in height, more so than does the parapet. But this taller part would be shorter and sited centrally, away from the front and rear of the building and along only a small section of the side elevation with some narrow vertical glazing.
8. Though also similarly positioned at the rear, the parapet is at its lowest here so most of this part of the extension would appear above the wall and stretch across the entire end of this part of No.85. It would, though, be relatively narrow, mostly glazed and not face directly towards Chesterfield Grove but be parallel to it in one direction only. At less than half the width of the building the extension would be much narrower towards the front of No.85, setback a long way behind the parapet next to Melbourne Grove and furthest from the rest of the terrace.
9. As a result, the long or wide horizontal flat roofs and relatively short vertical elevation dimensions above the parapet would give a mostly shallow, box like form to the extension. A taller nub would still echo the stepped arrangement of the roof as well as the parapet below and next to it. Although at an elevated upper level, the extension would be compatible with the angular roofline and overall profile of No.85 with a harmonious transition between the traditional design of the building below and the modern design of the part above. The proportionate and subordinate overall height, scale and massing of the extension would not overwhelm or dominate the predominant lower levels of No.85 or appear unduly imposing. It would also reinforce the innate difference in design between this building and the conventional houses around it in a sympathetic way, so remain a focal point at this corner junction without undermining the integrity and coherence of No.85 or the terrace as a whole.
10. The muted green elevation and roof colour and materials would also be quite different to No.85 but an integral part of the overall aesthetic of this otherwise well considered and designed rooftop extension. Moreover, this contrast in

external materials limited to just these parts of No.85 at roof level would also contribute to establishing a clear upward visual break in apparent built form as seen in Chesterfield Grove from the east and Melbourne Grove from the north (there would be no public view from street level possible from the south or west). This would leave the prevailing impression of the long lighter cream painted parapet render band as the main horizontal corner roof-line and a significant part of the local skyline in the panorama of views at this junction.

11. In these shorter distance, steep upward views from street level, roadside pavement trees do not intervene in vistas so much. But the effect of perspective would give the impression of the extension as diminished in height above and behind the parapet, as well as receding away from the edge of No.85, rather than jar or overly protrude above main roof level. Albeit to a lesser extent, and despite a position forward of the building line, this would apply to the more limited sideways views of the rear of the extension from Chesterfield Grove. The green colour at this height would have a tangible visual association with nearby roof level roadside tree canopies, so help assimilate the extension into longer distance views. These views would anyway be partially obscured by these trees, including in winter months albeit less so. Nonetheless, even if these trees were removed or reduced in size or number this would not reveal the extension as an alien or incongruous feature.
12. Taking all the above into account, respecting local design, character or appearance does not necessarily mean replicating it. It can mean combining traditional and contemporary architectural design to coexist together without compromising the integrity of either. The proposed rooftop extension deviates from traditional design and would be seen as such in juxtaposition with the original part of No.85 and the terrace in some views. However, I consider that this modern, innovative departure would complement the distinctiveness of the building and its presence in the local area, not compete with it, so not be detrimental in this case to No.85 alone or in combination with the terrace as a whole. It would be mainly seen and experienced as a modest extension and contribute to a sense of place in a positive way.
13. I therefore find that the rooftop extension would not have an adverse effect on the design of No.85 Melbourne Grove or on the character and appearance of the local area so cause no harm in either respect. Consequently, the proposal complies with Policy D4 of the London Plan, March 2021 and with Policies P13 and P14 of the Southwark Plan, February 2022. These policies include that development should deliver innovative, high quality detailed design and place-making having regard to height, scale, massing and materials and respond positively to existing townscape, character, context and distinctiveness. They are also consistent with objectives of the National Planning Policy Framework (NPPF) to achieve high quality, beautiful buildings and places.

Other Matters

14. Planning permission for a mansard roof conversion at No.85 has lapsed². It was set in from edges of the building behind the parapet but a large footprint covered more of the roof area. I consider that this would result in a substantial overall increase in bulk and mass of built form, with a large, sloped roof inconsistent with the clear rectilinear profile of No.85. The appeal extension would not be materially taller in places and significantly lower in other parts

² Ref 08/AP/1556

with a much smaller and shorter footprint giving a built form aligned more closely to the traditional proportions of the building. Some other mansard roof conversions are not next to No.85 and not on a corner between two streets but more discretely sited and contained within the terrace, so are not directly comparable. During the appeal the appellant submitted a new planning application for a mansard roof-top extension in response to further pre-application advice from the Council³. I have not been provided with any plans of that proposal or been informed about an outcome. I have, in any event, determined this appeal on its individual planning merits.

Conditions

15. The Council suggested two conditions if the appeal was allowed. I have considered modified wording in the interests of clarity or precision and have had regard to the relevant tests in the NPPF and Planning Practice Guidance, including to keep conditions to the minimum required. As well as the standard time limit condition for commencing development, a condition to specify the approved plans would give certainty about the development that would take place. The Council suggested a separate condition about external materials. These details are comprehensively set out in the submitted plans and design and access statement so this condition would not be necessary.

Conclusion

16. The proposal complies with the most relevant policies of the development plan. There are no other material considerations, including provisions of the NPPF, to indicate that the decision should be made other than in accordance with the development plan taken as a whole⁴. Consequently, for the reasons given above the proposal is acceptable so the appeal succeeds.

Robin Buchanan

INSPECTOR

Schedule of Conditions (2)

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents, including external materials:

220001_A_01_000	Rev P01	proposed site location plan
220001_A_01_001	Rev P01	proposed site plan
220001_A_01_100	Rev P01	proposed ground, first and second floor plan
220001_A_01_101	Rev P01	proposed third floor and roof plan
220001_A_01_200	Rev P01	proposed north and west elevation plan
220001_A_01_201	Rev P01	proposed east and south elevation plan
220001_A_01_300	Rev P01	proposed section A-A and section B-B plan
R004	Rev 00	Design & Access Statement, 19 May 2023

³ Ref 23/AP/3598

⁴ Section 38(6) Planning and Compulsory Purchase Act 2004 (as amended)